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HOUSE BILL 331

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Miguel P. Garcia

FOR THE LAND GRANT COMMITTEE

AN ACT

RELATING TO PUBLIC PROPERTY; GRANTING COMMUNITY LAND GRANTS THE
RIGHT OF FIRST REFUSAL FOR THE PURCHASE OF SURPLUS STATE LANDS
THAT WERE FORMER GRANT LANDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of Chapter 13, Article 6 NMSA
1978 is enacted to read:

"[NEW MATERIAL] SALE OF REAL PROPERTY BY STATE AGENCIES--
LAND GRANT RIGHT OF FIRST REFUSAL.--

A. Notwithstanding the provisions of Section 13-6-2
NMSA 1978, a state agency shall give the board of trustees of a
community land grant governed pursuant to the provisions of
Chapter 49, Article 1 NMSA 1978 or by statutes specific to the
named land grant the right of first refusal when selling real
property belonging to the state agency if the property is land

.154210.1

underscored material = new
[bracketed material] = delete

underscoring material = new
[bracketed material] = delete

1 that is located within the boundaries of that community land
2 grant as shown in the United States patent to the grant.

3 B. If the board of trustees of the community land
4 grant elects not to purchase the land offered for sale or does
5 not respond to the notice of sale within forty-five days of
6 receipt of the notice, the state agency may otherwise dispose
7 of the property in accordance with applicable law.

8 C. The provisions of this section do not apply to
9 lands held in trust pursuant to the Enabling Act and for which
10 that act prescribes how that land may be disposed of."